

IN RE: PETITION FOR ADMINISTRATIVE  
ZONING VARIANCE  
S/S Weatherlane Road, 135' (+/-)  
W/S from c/l Perring Park Rd.  
2309 Weatherlane Road  
8th Election District  
6th Councilmanic District  
Anthony B. Sala, et ux  
Petitioners

• BEFORE THE  
• ZONING COMMISSIONER  
• OF BALTIMORE COUNTY  
• Case No. 93-342-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Anthony B. and Elisa Sala, for that property known as 2309 Weatherlane Road in the Perring Park Section 1 of Baltimore County. The Petitioners herein seek a variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3.5 ft., for a carport, in lieu of the required 8 ft., as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of May, 1993 that the Petition for a Zoning Variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3.5 ft., for a carport, in lieu of the required 8 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 5/13/93  
By [Signature]

LES:mmn

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

May 13, 1993

Mr. and Mrs. Anthony B. Sala  
2309 Weatherlane Road  
Baltimore, Maryland 21234

RE: Petition for Administrative Zoning Variance  
Case No. 93-342-A  
2309 Weatherlane Road

Dear Mr. and Mrs. Sala:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

[Signature]  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2309 Weatherlane Rd. Balto Md 21234  
which is presently zoned RS-55

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

To permit a side yard setback of 3.5' for a carport in lieu of the required 8'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship if applicable)  
(1) There is no way to position a carport on the side yard without violating the zoning regulations.  
(2) There is less room on the right side of the property.  
(3) The existing concrete driveway is on the left side of the house.  
(4) There is not enough room on the left side between the house and the property line to construct a carport and maintain the 6' sideyard setback required.  
Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Attorney for Petitioner  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Name, Address and phone number of representative to be contacted  
F. James B. Jones  
6717 Perring Ave. (410) 485-8535  
Balto Md 21237

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 13th day of May, 1993, that the subject matter of this petition be set for a public hearing, to be held on or before May 20, 1993, at 10:00 AM, in the Zoning Board of Appeals, 400 Washington Avenue, Towson, Maryland 21204.

REVIEWED BY: R.T. DATE: 4-5-93  
ESTIMATED FILING DATE: 4-25-93  
ITEM #: 354

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) herein competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 2309 WEATHERLANE RD.  
Baltimore, Md 21234

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate type and number of affidavits)

- (1) There is practical difficulty in constructing a 14' wide carport on the right side of the property without violating the zoning regulations.
- (2) There would be no negative impact on the neighborhood. The carport would be placed over the existing driveway. It would not interfere with property rights. It is compatible with other carports in the neighborhood.
- (3) There are no adjoining property structures that would be near the proposed carport.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

[Signature] Anthony B. Sala  
[Signature] Elisa M. Sala

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of May, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Anthony B. Sala & Elisa M. Sala

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3-9-93

My Commission Expires:

## EXAMPLE Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 2309 WEATHERLANE ROAD  
Election District 9 Councilmanic District 6

Beginning at a point on the SOUTH side of (north, south, east or west)

WEATHERLANE ROAD which is 50' (number of feet of right-of-way width)

wide at a distance of 135' WEST of the (number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street PERRING PARK ROAD (name of street)

which is 50' wide. \*Being Lot # 26 (number of feet of right-of-way width)

Block C, Section # ONE in the subdivision of PERRING PARK - SECTION ONE as recorded in Baltimore County Plat (name of subdivision)

Book # 39471, Folio # 26, containing

6959 sq. ft. and 0.16 acres (square feet and acres) ITEM # 354

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio #, and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 03' E. 87.2 ft., S. 62° 15' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 4/26/93  
Posted for: Anthony & Elisa Sala  
Petitioner: Anthony & Elisa Sala  
Location of property: 2309 Weatherlane Rd., 135' side yard setback  
Location of Sign: Perring Park Way, on property of Perring Park  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 4/30/93  
Number of Signs: 1

93-342-A

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
4-15-93  
CK # 1242  
FOR: ADM. VARIANCE  
ITEM # 354  
330390057HICM  
24 0002-16104-00-12  
VALIDATION ON SIGNATURE OF CLERK  
FOR: THE COUNTY TREASURER

## Maryland Department of Transportation State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

HELLEN KEHRING  
Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: # 354 (RT)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

[Signature]  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5862 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 16, 1993  
FROM: Jerry L. Pfeifer, Captain  
Fire Department  
SUBJECT: Zoning Petitions

- |       |   |
|-------|---|
| #352B | No comments   |
| #353  | No comments   |
| #354  | No comments   |
| #355  | No comments   |
| #356  | Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code. |
| #357  | No comments   |
| #358  | No comments   |
| #359  | No comments   |
| #360  | Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code. |

JLP/dal  
cc: File

RECEIVED  
APR 20 1993  
ZADM

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management  
DATE: April 21, 1993  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 348 and 354.  
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long  
Division Chief: Gary L. Kew  
PK/JL:lw

348.ZAC/ZAC1

111 West Chesapeake Avenue  
Towson, MD 21204



APRIL 16, 1993 (410) 887-3353

Anthony and Elina Sala  
2309 Weatherlane Road  
Baltimore, Maryland 21224  
Case Number: 93-342-A (Item 354)  
2309 Weatherlane Road,  
S/W Weatherlane Road, 135'10" N/S from c/l Perring Park Road  
8th Election District - 4th Councilmanic  
Petitioner(s): Anthony Sala and Elina Sala

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 25, 1993. The closing date (May 10, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon  
Director

cc: Ficial Brothers, Inc.

Printed on Recycled Paper

Plat to accompany Petition for Zoning Variance Special Hearing

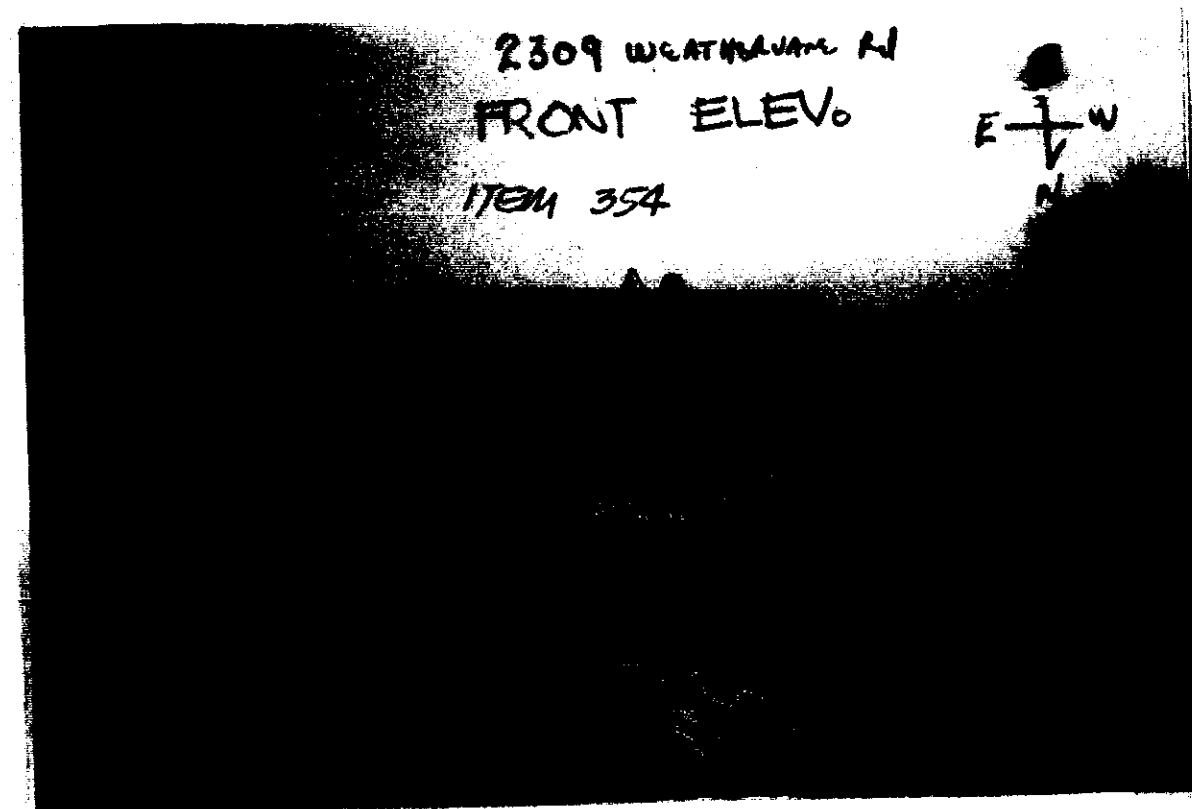
PROPERTY ADDRESS: 2309 WEATHERLANE RD.  
Subdivision name: Perring Park - Section 1  
Plot located: 15, 26, sections ONE  
OWNER: ANTHONY & ELINA SALA 09-091900R120  
see pages 5 & 6 of the CHECKLIST for additional required information  
Pet's EXP. 4/1

North  
date: 3/16/93  
prepared by: FICIAL BROS. INC. Scale of Drawing: 1" = 50'

LOCATION INFORMATION  
Election District: 9  
Councilmanic District: 6  
1"-200' scale map: NE 10 D  
Zoning: DR-5.5  
Lot size: 0.16 acreage  
6958.25 square feet  
SEWER: ☐  
WATER: ☐  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearing: None

Zoning Office USE ONLY  
reviewed by: R.T. 354  
ITEM #: 354  
CASE #:

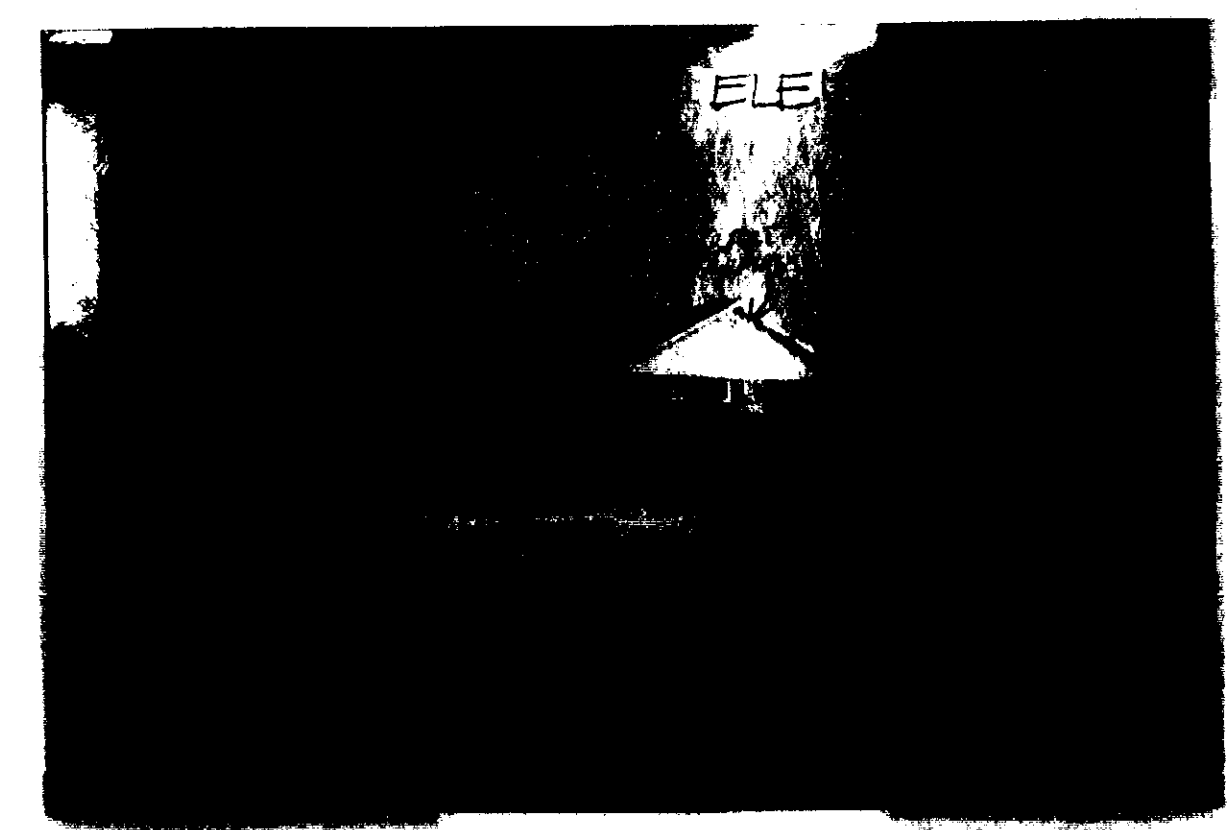
93-342-A



93-342-A



93-342-A



I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS SHOWN ON THE BELOW DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY FIELD SURVEY AND ARE LOCATED AS SHOWN.  
Russell K. Klages  
PROFESSIONAL LAND SURVEYOR  
LIC. NO. 8648

THIS SURVEY IS FOR TITLE PURPOSES ONLY; IT IS NOT INTENDED FOR USE IN THE ESTABLISHMENT OF PROPERTY LINES.  
THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY AND/OR COVENANTS OF RECORD.

93-342-A

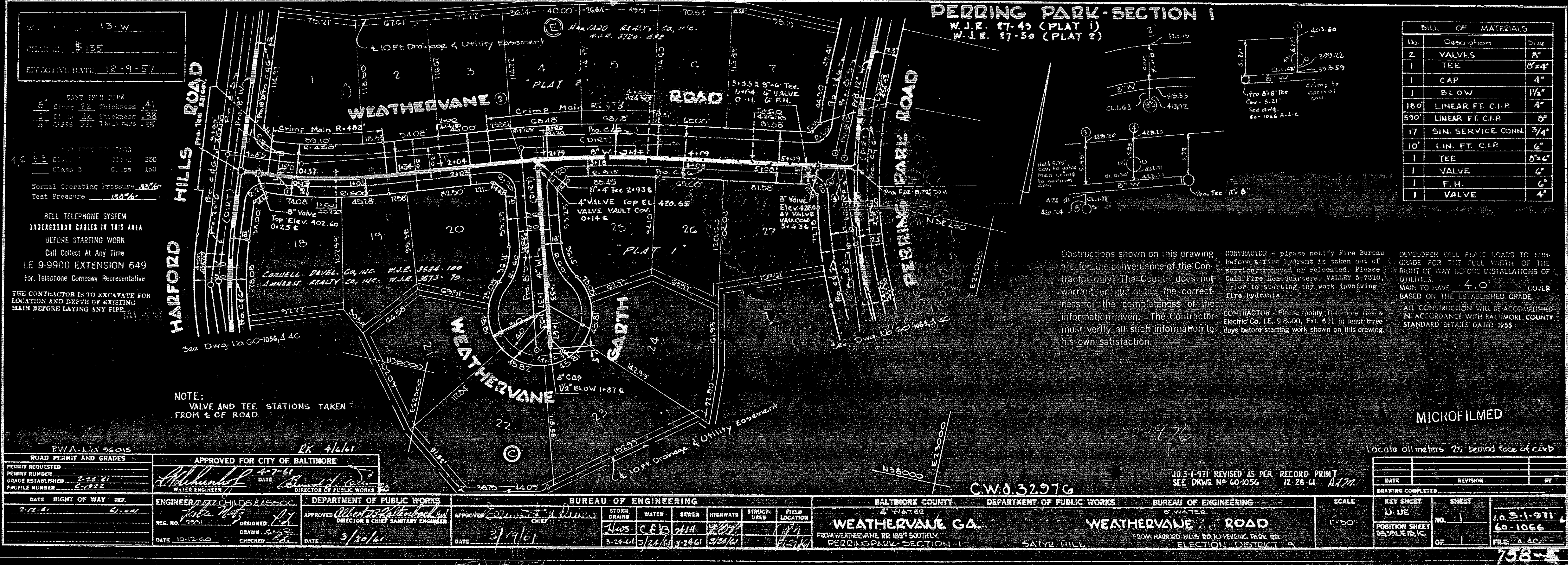
WEATHERLANE ROAD  
(90' R/W)  
EDGE OF 30.2' ASPHALT ROAD

25' MINIMUM SETBACK REQUIRED  
1. 7.2' x 6.0' CONC. STEPS  
2. 6.0' CONC. PATIO  
3. 6.0' x 3.0' METAL SHEET  
4. OWNER'S 3' HIGH CHAIN LINK FENCE  
5. DRAINAGE AND UTILITY BASEMENT

ITEM # 354  
HOUSE LOCATION PLAT FOR LOT 23 - BLOCK 2 - SECTION ONE PERRING PARK PLAT 1  
1:27 BOOK W.J.R. 11-27-80 10 40 BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=30'  
RANDY J. HOFFER & ASSOC.  
BALTIMORE, MD 21202



93-342-A







BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE  
1" = 200' ±

LOCATION  
ITEM # 354

SHEET

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

CARNEY

N.E.  
10-D